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EXAMINER

PESIN, BORIS M

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/891,599		CHASANOFF ET AL.	
	Examiner		Art Unit	
	Boris Pesin		2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

4

DETAILED ACTION

This communication is responsive to Amendment A, filed 08/23/2004.

Claims 1-74 are pending in this application. In the Amendment A, an affidavit was filed. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

The affidavit filed on 8/23/2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the Kanevsky et al. reference.

The Examiner acknowledges that the Applicant attempts to assert priority by showing reduction to practice prior to April 23, 1999.

MPEP 715.07 states,

“... proof of actual reduction to practice requires a showing that the apparatus actually existed and worked for its intended purpose”

The Applicant provided the Examiner with screen shots that appear to be file names of Java code (i.e. directory listing) that the Applicant declares were used to produce screen shots of the actual program shown in Exhibits B-H. Furthermore the Applicant states that the screen shots in Exhibit B-H show that reduction to practice occurred prior to April 23, 1999.

MPEP 715.07 states,

The affidavit or declaration and exhibits must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior

to the particular date. Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice "amounts essentially to mere pleading, unsupported by proof or a showing of facts" and, thus, does not satisfy the requirements of 37 CFR 1.131(b). In re Borkowski, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also In re Harry, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit "asserts that facts exist but does not tell what they are or when they occurred.").

In this case a mere assertion that exhibits B-H show reduction to practice is insufficient to establish priority under 37 CFR 1.131.

In the interest of speeding up prosecution, the Examiner has reviewed all of the attached screenshots (Exhibits A-H) and finds that the Applicant has not met his burden by showing the claimed invention.

MPEP 715.02 states,

The 37 CFR 1.131 affidavit or declaration must establish possession of either the whole invention claimed or something falling within the claim (such as a species of a claimed genus), in the sense that the claim as a

Art Unit: 2174

whole reads on it. In re Tanczyn, 347 F.2d 830, 146 USPQ 298 (CCPA 1965)

In this case the Applicant claimed "defining attributes of each of said plurality of data items" and "defining attributes of said relationship and perceived logical connection between said data items"; however these limitations are not supported by the screen shots supplied by the Applicant. The former examples are just several claim limitations not shown by the screen shots. The Examiner notes that the mentioned examples are not an exhaustive list of all of the claim limitations not shown by the screen shots.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3, 4, 5, 8, 16, 18, 20, 21, 22, 23, 24, 25, 26, 28, 30, 32, 34, 35, 37, 42, 43, 44, 46, 52, 54, 55, 56, 57, 58, 59, 60, 62, 64, 66, 68, 69, and 71 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky et al. (US 6426761).

In regards to claim 1, Kanevsky teaches a method for establishing relationships between multiple data items in a computer, comprising the steps of: creating a graphical representation of at least one data classification cluster Master Facet, said Master Facet

Art Unit: 2174

utilized for clustering a plurality of related data items (i.e. "automatically organizing and displaying related webtop display elements, e.g., text, web-page links, in clusters", Column 1, Line 61); defining attributes of said Master Facet (i.e. "cluster attributes", Column 9, Line 59); creating a graphical representation of a plurality of data items (i.e. "a cluster of items comprising graphical or textual elements for display", Abstract, Line 4); defining attributes of each of said plurality of data items (i.e. "the icon size, brightness and nesting determination may be based on the creation date, hierarchy, frequency of use, size of information represented by the icon, relations between information represented by items such as icons or links, or other parameter--or, the size may be entirely determined by the user's preference and manual manipulation with mouse", Column 4, Line 43); clustering a subset of related data items of said plurality of data items under said Master Facet (i.e. "A control mechanism is provided for controlling the spatial extent, nesting and arrangement of items within a cluster according to a specified criteria", Abstract, Line 7); displaying visually said clustering of said subset of related data items (i.e. "Each item in a cluster represents information having a degree of relatedness with information represented by other items in a cluster.", Abstract, Line 5); associating at least one data item of said plurality of data items under said Master Facet with another data items by forming a relationship between said data items (i.e. "High association strengths may lead to tighter clusters, and/or alter the factual dimension and size scaling relationships between many icons. The association strength is determined by a function of the characteristics of the associated pieces of information" Column 8, Line 26, "For example, as shown in FIG. 1(a), a plurality of sub-icons 115 may surround

the larger icon 112, with sub-sub-icons 117 surrounding each sub-icon 115, etc. The spatial clustering 110 of a central icon 112 and other various nearby icons 115, 117 in diminishing sizes is intended to suggest to a user a degree or nature of relatedness for the set of nearby icons." Column 4, Line 22); defining attributes of said relationship and perceived logical connection between said data items (i.e. "the system may cluster together all items that were created on the same date, or all items related by the nature of their content, or all items not accessed for over thirty (30) days, for example", Column 7, Line 48); and displaying visually said relationship between said logically connected data items for which the relationship is defined (i.e. "the nesting of items within and/or arrangement of items within the cluster may be controlled to suggest relations of items on the display terminal" Column 2, Line 39).

In regards to claim 3, Kanevsky teaches a method further comprising the step of displaying at least partial content of said Master Facet when the attributes of said Master Facet are defined. (i.e. "a graphically user interface and system for generating GUI displays that automatically organizes, nests, and clusters icons, windows, web links, and text according to user-specified criteria, and in a manner so that relatedness of information represented by items in the cluster may be easily understood." Column 1, Line 39).

In regards to claim 4, Kanevsky teaches a method further comprising the step of displaying at least partial content of at least one of said plurality of data items when the attributes of said data item are defined. (i.e. "In order to access and see smaller text, the

user may magnify regions of the document display using a variety of means such as by dragging the mouse (not shown) over the region to be magnified." Column 11, Line 66).

In regards to claim 5, Kanevsky teaches a further comprising the step of displaying at least partial content of at least one of said plurality of data items that are associated with each other when said attributes of the relationship between the associated data items are defined. (i.e. "In order to access and see smaller text, the user may magnify regions of the document display using a variety of means such as by dragging the mouse (not shown) over the region to be magnified." Column 11, Line 66, all the "text" is related to each other so the user can see any of the notes presented on the screen).

In regards to claim 8, Kanevsky teaches a method further comprising the steps of associating at least one data item of said plurality of data items in a subset clustered under the same Master Facet with another data item clustered under the same Master Facet by forming a relationship between said data items (i.e. "High association strengths may lead to tighter clusters, and/or alter the factual dimension and size scaling relationships between many icons. The association strength is determined by a function of the characteristics of the associated pieces of information" Column 8, Line 26); defining attributes of said relationship and perceived logical connection between said data items (i.e. "the icon size, brightness and nesting determination may be based on the creation date, hierarchy, frequency of use, size of information represented by the icon, relations between information represented by items such as icons or links, or other parameter--or, the size may be entirely determined by the user's preference and manual

Art Unit: 2174

manipulation with mouse", Column 4, Line 43); and displaying visually said relationship between said logically connected data items for which the relationship is defined (i.e. "Each item in a cluster represents information having a degree of relatedness with information represented by other items in a cluster.", Abstract, Line 5); wherein said logical connection between said data items is other than the fact of being clustered under the same Master Facet (i.e. "creation date, hierarchy, frequency of use, size of information represented by the icon", Column 4, Line 44).

In regards to claim 16, Kanevsky teaches a method further comprising the step of viewing at least partial content of at least one data item while displaying visually the relationship link between said data item and at least one other data item. (i.e. "In order to access and see smaller text, the user may magnify regions of the document display using a variety of means such as by dragging the mouse (not shown) over the region to be magnified." Column 11, Line 66).

In regards to claim 18, Kanevsky teaches a method wherein the executable instructions for carrying out the steps of the invention reside on a local computer of the user. (i.e. "a graphical user interface (GUI) and system for generating a computer GUI that automatically organizes, nests, and clusters related desktop elements" Column 1, Line 53)

In regards to claim 20, Kanevsky teaches a method wherein said data items comprise a plurality of heterogeneous multimedia data objects. (i.e. "additional graphical objects that may be organized include icons with static or animated graphics, multimedia presentations, and windows displaying TV broadcasts" Column 3, Line 44)

In regards to claim 21, Kanevsky teaches a method wherein at least one of said plurality of data items is an audio file. (i.e. "full motion video and sound audio/visual on the monitors" Column 13, Line 36)

In regards to claim 22, Kanevsky teaches a method wherein at least one of said plurality of data items is a digitized video file. (i.e. "displaying TV broadcasts" Column 3, Line 46)

In regards to claim 23, Kanevsky teaches a method wherein at least one of said plurality of data items is an image file. (i.e. "It is an object of the present invention to provide a graphical user interface (GUI) and system for generating a computer GUI that automatically organizes, nests, and clusters related desktop elements, such as windows, textual and graphical elements (such as icons)" Column 1, Line 53)

In regards to claim 24, Kanevsky teaches a method wherein at least one of said plurality of data items is an HTML file. (i.e. "organizing and displaying related webtop display elements, e.g., text, web-page links, in clusters" Column 1, Line 61)

In regards to claim 25, Kanevsky teaches a method wherein at least one of said plurality of data items is a text file. (i.e. "It is an object of the present invention to provide a graphical user interface (GUI) and system for generating a computer GUI that automatically organizes, nests, and clusters related desktop elements, such as windows, textual and graphical elements (such as icons)" Column 1, Line 53)

In regards to claim 26, Kanevsky teaches a method wherein at least one of said plurality of data items is associated with a particular application. (i.e. "windows, textual and graphical elements (such as icons)" Column 1, Line 56)

In regards to claim 28, Kanevsky teaches a method further comprising the step of representing a plurality of different types of data item attributes visually and allowing the user to assign said attributes to at least one data item. (i.e. "the system may infer association strength functions based on user's input including a user explicitly noting that a particular document is relevant" Column 9, Line 16).

In regards to claim 30, Kanevsky teaches a method further comprising the step of representing a plurality of different types of attributes for data classification clusters visually and allowing the user to assign said attributes to at least one Master Facet. (i.e. Figure 3(a) and Figure 3(b)).

In regards to claim 32, Kanevsky teaches a method further comprising the step of representing a plurality of different types of attributes for the relationships and allowing the user to assign said attributes to at least one relationship. (i.e. "association strength may be further determined by factors such as: 1) characteristics of past link traversals, e.g., the number, frequency, and recency of traversals; 2) relationship strength of the linked information; and, 3) a mathematical relationship between the number of accesses of each of the linked units (e.g., documents) and the number of accesses and frequency of access of the link itself" (Column 8, Line 56), "step 62 indicates the optional step of having a user enter a strength criteria, e.g., via a pop-up display window (FIG. 3(a))" Column 8, Line 67).

In regards to claim 34, Kanevsky teaches a method further comprising the steps of analyzing the existing relationships between data items by an expert-system software component and the step of assisting the user in defining the attributes of a new

Art Unit: 2174

relationship between said data items based on the data acquired from said analysis of said other existing relationships. (i.e. "the system may automatically cluster and arrange icons and other graphical items that represent information with similar characteristics or that have some association or linkage" Column 7, Line 44).

In regards to claim 35, Kanevsky teaches a method further comprising the step of interactive communications between said expert-system software component and the user, wherein at least one attribute and the nature of at least one relationship between data items that are suggested by the expert-system are at least partially based on a response given by the user. (i.e. "the system may infer association strength functions based on user's input including a user explicitly noting that a particular document is relevant" Column 9, Line 16).

In regards to claim 37, Kanevsky teaches a method wherein the Master Facet, data items and relationships are visually depicted in a tree format. (i.e. "tree-like structure", Column 5, Line 4).

Claim 42 is in the same context as claim 4; therefore it is rejected under similar rationale.

Claim 43 is in the same context as claim 3; therefore it is rejected under similar rationale.

Claim 44 is in the same context as claim 5; therefore it is rejected under similar rationale.

Art Unit: 2174

Claim 46 is in the same context as claim 8; therefore it is rejected under similar rationale.

Claim 52 is in the same context as claim 16; therefore it is rejected under similar rationale.

Claims 54-60 are in the same context as claim 20-26; therefore they are rejected under similar rationale.

Claim 62 is in the same context as claim 28; therefore it is rejected under similar rationale.

Claim 64 is in the same context as claim 30; therefore it is rejected under similar rationale.

Claim 66 is in the same context as claim 32; therefore it is rejected under similar rationale.

Claim 68 is in the same context as claim 34; therefore it is rejected under similar rationale.

Claim 69 is in the same context as claim 35; therefore it is rejected under similar rationale.

Claim 71 is in the same context as claim 37; therefore it is rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2174

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 2, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 27, 39, 40, 41, 45, 47, 48, 49, 50, 51, 53, 61, 73, and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (US 6426761) in view of Hugh (US 6166739).

In regards to claim 2, Kanevsky teaches all the limitations of claim 1. Kanevsky does not teach a method wherein the steps of associating at least one data item of said plurality of data items under said Master Facet with another data item by forming a relationship between said data items and specifying said logical connection between said data items are arbitrarily defined by a user, based on user's perception of the connection between said items. Hugh teaches, "A thought network specifies a plurality of thoughts, as well as network relationship among the thoughts. A graphical representation of the thought network is displayed, including a plurality of display icons

corresponding to the thoughts, and a plurality of connecting lines corresponding to the relationships among the thoughts. Each of the thought is associated with one or more software application programs, such as a word processing or spreadsheet utility. Users are able to select a current thought conveniently by interacting with the graphical representation, and the current thought is processed by automatically invoking the application program associated with the current thought in a transparent manner. Users can conveniently modify the thought network by interactively redefining the connecting lines between thoughts." (Abstract, Line 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Hugh and create relationship connections between data items with the motivation to better illustrate the associations of the data items.

In regards to claim 6, Kanevsky teaches all the limitations of claim 1. He does not teach a method for displaying visually every relationship defined for each data item clustered under a Master Facet. Hugh teaches that you can have all the relationships displayed (i.e. Figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Hugh to include the ability to display all the relationships at one time with the motivation to provide for a more effective display of information.

In regards to claim 7 Kanevsky and Hugh teaches all the limitations of claim 6. Hugh further teaches a method wherein each visual representation of a relationship defined for each data item clustered under a Master Facet may be independently

selected by the user for analysis. (i.e. "the user requests that a particular relationship be severed by clicking on the lines which connect two" Column 14, Line 61).

In regards to claim 9, Kanevsky teaches all the limitations of claim 8. He does not teach a method for displaying visually every relationship defined for each data item with other data items clustered under a Master Facet. Hugh teaches that you can have all the relationships displayed with other data items (i.e. Figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Hugh and include the ability to display all the relationships at one time with the motivation to provide for a more effective display of information.

In regards to claim 10, Kanevsky and Hugh teaches all the limitations of claim 9. Hugh further teaches a method wherein each visual representation of a relationship defined for each data item clustered under a Master Facet may be independently selected by the user for analysis. (i.e. "the user requests that a particular relationship be severed by clicking on the lines which connect two" Column 14, Line 61).

In regards to claim 11, Kanevsky teaches all the limitations of claim 1. He does not teach a method comprising the steps of: associating said Master Facet with another Master Facet by forming a relationship between said Master Facets; defining attributes of said relationship and perceived logical connection between said Master Facets; and displaying visually said relationship between said logically connected Master Facets for which the relationship is defined. Hugh teaches that it is possible to associate said Master Facet with another Master Facet by forming a relationship between said Master Facets (i.e. "additional thought plexes [i.e. Master Facets] can be created by using the

control device 160 to position the cursor over any thought other than the central thought, and dragging the selected thought to the desired location of the new plex" Column 19, Line 57). He sets up a parent-child relationship with the Master Facets, where one is the child and one is the parent. Further, he teaches a method for defining attributes of said relationship and perceived logical connection between said Master Facets (i.e. "thought plexes are the graphical displays of a group of related thoughts, consisting of a central thought and any parent, child, jump, and sibling thoughts" Column 19, Line 52). Further, he teaches a method for displaying said relationship between said logically connected Master Facets for which the relationship is defined (i.e. Figure 9, Connection between Elements 314 and 310). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Hugh to include a method for creating relationships between Master Facets, defining attributes between Master Facets (i.e. parent-child relationship), and displaying the relationships on the screen with the motivation to organize and process chunks of interrelated data. (Hugh, Abstract, Line 1).

In regards to claim 12, Kanevsky and Hugh teach all the limitations of claim 11. Hugh further teaches a method further comprising the step of displaying the content of at least one of said Master Facets that are associated with each other when said attributes of the relationship between them are defined. (i.e. "thought plexes are the graphical displays of a group of related thoughts, consisting of a central thought and any parent, child, jump, and sibling thoughts" Column 19, Line 52, Also Figure 9 The

Art Unit: 2174

attribute of the lower (Element 914) Master Facet is that it is a child of the higher (Element 314).

In regards to claim 13, Kanevsky and Hugh teach all the limitations of claim 12. Hugh further teaches a method further comprising the step of displaying visually every defined relationship between said Master Facet and other Master Facets (Figure 9, Connection between "Projects" and "Cortex").

In regards to claim 14, Kanevsky and Hugh teach all the limitations of claim 13. Hugh further teaches a method wherein each visual representation of a defined relationship between said Master Facet and other Master Facets may be independently selected by the user for analysis. (i.e. "the user requests that a particular relationship be severed by clicking on the lines which connect two" Column 14, Line 61).

In regards to claim 15, Kanevsky and Hugh teach all the limitations of claim 14. Kanevsky further teaches a method further comprising the step of browsing through the list of data items accessible to the user's computer in order to define the attributes of at least one said data item. (i.e. "A source list is then created and the thought location assigned to the web page is added to the source list." Column 39, Line 35, The source list provides parent-child attributes.)

In regards to claim 17, Kanevsky and Hugh teach all the limitations of claim 17. Hugh further teaches a method further comprising the step of viewing at least partial content of a Master Facet while displaying visually the link between said Master Facet and at least one other Master Facet. (i.e. In Figure 9, one can see a link between two

Master Facets, Element 310 and 314, and is able to see the contents of Master Facet 310).

In regards to claim 27, Kanevsky teaches all the limitations of claim 1. He does not teach a method wherein at least one of said plurality of data items is a database object. Hugh teaches that "groups of information may include, but are not limited to, directories such as Windows.RTM. directories, networks such as the internet, databases and linked items such as a web site compatible with the present invention" (Column 40, Line 57).

In regards to claim 39, Kanevsky teaches all the limitations of claim 1. He does not teach the method wherein at least one relationship defined by the user is stored in a scratch pad memory. Hugh teaches that in his invention data is stored in the "cache" (Column 29, Line 22) or the scratch pad memory. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Hugh to include a scratch pad memory, or cache, with the motivation to retrieve data faster.

In regards to claim 40, Kanevsky teaches all the limitations of claim 1. He does not teach the method wherein at least one data item is stored in a temporary memory "coral" for connection to other data items at some later time. Hugh teaches that in his invention data is stored in the "cache" (Column 29, Line 22) or the temporary memory.

Claim 41 is in the same context as claims 1 and 2; therefore it is rejected under similar rationale.

Art Unit: 2174

Claim 45 is in the same context as claims 6 and 7; therefore it is rejected under similar rationale.

Claim 47 is in the same context as claims 9 and 10; therefore it is rejected under similar rationale.

Claim 48 is in the same context as claims 11; therefore it is rejected under similar rationale.

Claim 49 is in the same context as claims 12; therefore it is rejected under similar rationale.

Claim 50 is in the same context as claims 13 and 14; therefore it is rejected under similar rationale.

Claim 51 is in the same context as claim 15; therefore it is rejected under similar rationale.

Claim 53 is in the same context as claim 17; therefore it is rejected under similar rationale.

Claim 61 is in the same context as claim 27; therefore it is rejected under similar rationale.

Claim 73 is in the same context as claim 39; therefore it is rejected under similar rationale.

Claim 74 is in the same context as claim 40; therefore it is rejected under similar rationale.

3. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (US 6426761) in view of Sexena et al. (US 6259449).

In regards to claim 19, Kanevsky teaches all the limitations of claim 1. He does not teach a method wherein the executable instructions for carrying out the steps of the invention reside on a network to which the local computer of the user is connected. Sexena teaches that "As the host receives the instructions over the network connection, it stores the instructions in memory." (Column 3, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teaching of Sexena and include a method for downloading instructions over the network with the motivation to provide the most up-to-date instructions available.

4. Claims 29, 31, 33, 63, 65, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (US 6426761) in view of Williams et al. (US 5491626).

In regards to claim 29, Kanevsky teaches all the limitations of claim 28. He does not teach a method wherein said plurality of different types of data item attributes are represented as icons, and said step of assigning one of said attributes to at least one data item comprises dragging one of said icons and dropping it into a visual representation of said data item. Williams teaches that, "the user may drag and drop the appropriate icon ... onto the schedule icon [i.e. data item]" (Column 3, Line 13). He further teaches that the appropriate icon is the "attribute icon" (Column 3, Line 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Williams to include a method for dropping the

Art Unit: 2174

attribute icon onto the data item with the motivation to speed up the process of assigning attributes (Williams, Column 1, Line 41).

In regards to claim 31, Kanevsky teaches all the limitations of claim 30. He does not teach a method wherein said plurality of different types of data item attributes are represented as icons, and said step of assigning one of said attributes to at least one Master Facet comprises dragging one of said icons and dropping it into a visual representation of said data item. Williams teaches that, "the user may drag and drop the appropriate icon ... onto the schedule icon [i.e. Master Facet]" (Column 3, Line 13). He further teaches that the appropriate icon is the "attribute icon" (Column 3, Line 17).

In regards to claim 33, Kanevsky teaches all the limitations of claim 32. He does not teach a method wherein said plurality of different types of attributes for the relationships are represented as icons, and said step of assigning one of said attributes to the relationship comprises dragging one of said icons and dropping it into a visual representation of said relationship. Williams teaches that, "the user may drag and drop the appropriate icon ... onto the schedule icon [i.e. visual representation of the relationship]" (Column 3, Line 13). He further teaches that the appropriate icon is the "attribute icon" (Column 3, Line 17).

Claim 63 is in the same context as claim 29; therefore it is rejected under similar rationale.

Claim 65 is in the same context as claim 31; therefore it is rejected under similar rationale.

Art Unit: 2174

Claim 67 is in the same context as claim 33; therefore it is rejected under similar rationale.

5. Claim 36 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (US 6426761) in view of Reddy (US 6629096).

In regards to claim 36, Kanevsky teaches all the limitations of claim 35. He does not teach a method wherein the selection of at least one question presented to said user by said interactive expert system component is at least partially dependent upon a prior response given by said user. Reddy teaches that, "A dependent question 138 comprises a question presented to the knowledge worker in response to the answer 140 of a prior independent question 138 or a prior dependent question 138." (Column 18, Line 22). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teachings of Reddy and include a method of basing a question upon a prior response with the motivation to provide for more relative line of questioning to the user.

Claim 70 is in the same context as claim 36; therefore it is rejected under similar rationale.

6. Claims 38 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (US 6426761) in view of Suchoff et al. (US 4394649).

In regards to claim 38, Kanevsky teaches all the limitations of claim 1. He does not teach a method wherein the data items and relationships are visually depicted and

Art Unit: 2174

organized in a scroll format. Suchoff teaches that "The terminal continues operating in the scroll format until it has entered the remaining portion of the message" Column 5, Line 38). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kanevsky with the teaching of Suchoff to include a method of displaying data in a scroll format with the motivation to fit more things on the screen.

Claim 72 is in the same context as claim 38; therefore it is rejected under similar rationale.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BP

A handwritten signature in black ink, consisting of a stylized, cursive-like mark that appears to be the initials 'BP'.